

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION**

BABY DOE, <i>et al.</i> ,)	
)	
<i>Plaintiffs,</i>)	
)	
v.)	Case No. 3:22-cv-49-NKM
)	
JOSHUA MAST, <i>et al.</i> ,)	
)	
<i>Defendants,</i>)	
)	
and)	
)	
UNITED STATES SECRETARY OF)	
STATE ANTONY BLINKEN, <i>et al.</i> ,)	
)	
<i>Nominal Defendants.</i>)	
)	

**DEFENDANT RICHARD L. MAST’S MOTION TO FILE HIS UNREDACTED
MEMORANDUM IN SUPPORT OF HIS
MOTION TO DISMISS THE AMENDED COMPLAINT UNDER SEAL**

Defendant Richard L. Mast, the undersigned counsel, hereby moves the Court to file his Unredacted Memorandum in Support of His Motion to Dismiss the Amended Complaint under Rules 12(b)(1) and 12(b)(6) under seal pursuant to Local Rule 9 and the Protective Order (Dkt. 26).

1. Richard Mast’s Memorandum contains discussion of and reference to materials that have been filed in the adoption proceeding in which the Does seek to unwind Defendant Joshua and Stephanie Mast’s adoption of Baby Doe. That proceeding is under seal and will never be made public. *See* Va. Code Ann. § 63.2-1246. The Virginia state court has allowed Joshua and Stephanie Mast and Defendant Richard L. Mast to discuss that case’s filings in this case, provided the

information and the filed documents remain under seal. *See* Exhibit 1 to Defendant Joshua and Stephanie Mast’s Memorandum in Support of their Motion to Dismiss (filed under seal).

2. Additionally, Richard Mast discusses a Petition for a Temporary Restraining Order previously filed in this Court under seal that contains highly sensitive information related to Joshua Mast’s military service. *See Baby L. v. Esper*, No. 3:20-cv-9-NKM, Verified Complaint and Petition for a Temporary Restraining Order, ECF No. 4.

3. Richard Mast moves for permission to redact his Memorandum to protect all sensitive information and to file the unredacted Memorandum under seal. Richard Mast is filing a redacted copy of the Memorandum on the public docket at the same time as this Motion. *See* Protective Order (Dkt. 26) (“Any papers that identify any Plaintiff either directly or indirectly shall be filed under seal, with redacted copies placed in the public files.”). Further, the state court has ordered that these documents may be used by the parties provided they remain under seal. Exhibit 1 to Defendant Joshua and Stephanie Mast’s Memorandum in Support of the Motion to Dismiss (Oct. 12, 2022 Order) (filed under seal).¹

4. Richard Mast requests for the above-mentioned documents to be kept under seal in perpetuity.

¹ Richard Mast will request that the Does meet and confer about modifying the Protective Order (Dkt. 26) at a later date.

For the above reasons, Richard Mast respectfully requests the Court to grant this Motion to File His Unredacted Memorandum in Support of His Motion to Dismiss the Complaint under seal.

Dated: November 14, 2022

Respectfully submitted,

/s/ Richard L. Mast
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